

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE  
AT NASHVILLE

Assigned on Briefs October 7, 2008

**STATE OF TENNESSEE v. FRED RAMOS**

**Direct Appeal from the Circuit Court for Williamson County**  
**No. II-CR02912 Robert E. Lee Davies, Judge**

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**No. M2007-01766-CCA-R3-CD - Filed April 2, 2009**

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The Defendant-Appellant, Fred Ramos (“Ramos”), an attorney, was convicted by the Williamson County Circuit Court of criminal contempt and sentenced to ten days in the county jail. On appeal, Ramos argues: (1) the trial court erred by ordering him to act as surety for costs for his client; (2) the trial court erred when it enforced the order before it became final; (3) the evidence was insufficient to support his conviction; (4) the trial court improperly sentenced him to ten days in jail; (5) he was entitled to a jury trial. Finding no reversible error, the conviction of the trial court is affirmed. However, we modify Ramos’ sentence and partially reinstate his ability to practice law.

**Tenn. R. App. P. 3 Appeal as Right; Judgment of the Circuit Court Affirmed As Modified**

CAMILLE R. McMULLEN, J., delivered the opinion of the court, in which JAMES CURWOOD WITT, JR., and D. KELLY THOMAS, JR., JJ., joined.

Geoffrey Coston, Nashville, Tennessee, for the appellant, Fred Ramos.

Robert E. Cooper, Jr., Attorney General and Reporter; Benjamin A. Ball, Assistant Attorney General; Douglas T. Bates, III (pro tem for contempt); Ronald L. Davis, District Attorney General; and Braden H. Boucek, Assistant District Attorney General, for the appellee, State of Tennessee.

**OPINION**

**FACTS**

As an initial matter, we must first comment on the record presented for our review. Ramos filed his brief, and the State replied with a motion to dismiss because the record on appeal did not contain a copy of the transcript of the evidence. See Tenn. R. App. P. 26 (b). Ramos did not respond. This court determined that a response from the appellant would be “beneficial and appropriate” and ordered the appellant to file a response. The appellant’s one-page response states, “no court reporter attended [the trial] and no transcript is available. The fact finding in the Court Order is the only fact finding that the parties could agree upon.” He then requested and received permission to late file his notice to this court that no transcript would be filed in this appeal. See Tenn. R. App. P. 24(d) (requiring the appellant to advise the court when no transcript or statement of the evidence will be filed in the appeal).

Rule 24(c) of the Tennessee Rules of Appellate Procedure governs situations where no court reporter was present at a hearing and no transcript exists. Rule 24(c) provides:

If no stenographic report, substantially verbatim recital or transcript of the evidence or proceedings is available, the appellant shall prepare a statement of the evidence or proceedings from the best available means, including the appellant's recollection. The statement should convey a fair, accurate and complete account of what transpired with respect to those issues that are the bases of appeal. The statement, certified by the appellant or the appellant's counsel as an accurate account of the proceedings, shall be filed with the clerk of the trial court within 60 days after filing the notice of appeal. Upon filing the statement, the appellant shall simultaneously serve notice of the filing on the appellee, accompanied by a short and plain declaration of the issues the appellant intends to present on appeal. Proof of service shall be filed with the clerk of the trial court with the filing of the statement. If the appellee has objections to the statement as filed, the appellee shall file objections thereto with the clerk of the trial court within fifteen days after service of the declaration and notice of the filing of the statement.

Ramos, as the appellant, chose not to file a statement of the evidence based on his recollection of the hearing before the trial court. As a result, the record on appeal consists entirely of motions by the defendant-appellant, certain exhibits, and findings of and orders by the trial court.

Given the above procedural history, we have determined the following limited facts in regard to this case. On August 17, 2005, Fred Ramos, a private attorney, appeared before the Williamson County Circuit Court to represent Armando Hernandez, a criminal defendant, in a trial. Hernandez was charged with felony theft. Before the trial began, Hernandez requested the assistance of an interpreter. Because no interpreter was available, the case was continued until January 6, 2006, and the trial court ordered Hernandez to provide the interpreter for trial at his own expense.

On January 6, 2006, the second trial date, Hernandez, by and through his attorney, requested a continuance due to the unavailability of a witness. The trial court continued the trial until May 24, 2006, and ordered Hernandez to comply with the previous order regarding his retention of an interpreter. On January 27, 2006, the State filed a motion requesting a continuance due to the unavailability of one of its witnesses. By agreement of the parties, the trial court granted another continuance to August, 30, 2006.

On August 28, 2006, two days before the third trial date, the trial court ordered the Administrative Office of the Courts (AOC) to provide two interpreters for the impending trial and held Hernandez and Ramos jointly and severally liable for reimbursing the AOC for the interpreters' fees to be paid within ninety days of the August 30, 2006 trial. The trial court's order further noted "[the trial had] previously been forced to continuance because of the Defendant's and his attorney's failure to provide a translator/interpreter, and it appearing to the Court that the Defendant and his attorney refuse to provide a translator at the defense's own expense . . . ."

On August 30, 2006, Mr. Hernandez failed to appear for his trial, and the trial court revoked his bond and issued a capias. On the same day, Ramos filed a “Motion for the Court to Reconsider and Withdraw Its Order of August 28, 2006.” Ramos asserted that the trial court did not have authority to impose costs on him, that a conflict of interest was created between Hernandez and Ramos because of the order, and that the order would deny Hernandez’s right to counsel. On September 5, 2006, the trial court denied the motion by written order. The trial court found that Ramos failed to properly declare his client indigent for the purposes of interpreter appointment and refused to comply with a court order requiring him to retain an interpreter. The court opined “that by not retaining the services of an interpreter/translator, the defense is avoiding trial.”

By order filed January 3, 2007, the trial court suspended Ramos’s privilege to practice law before the courts of the 21st Judicial District of Tennessee. The suspension was a result of Ramos’ failure to adhere to the previous order to reimburse the AOC for the interpreter that appeared at the August 2006 trial. However, on February 6, 2007, the trial court received a telefacsimile (fax) from the Tennessee Foreign Language Institute. The fax cover sheet read “Fred Ramos - Proof of payment” and represented to the court “official confirmation that Invoice #ITS-5716 was paid by Credit Card on 1/19/07 by Fred Ramos.” There was also a copy of a receipt for the services of a Spanish interpreter for a jury trial that occurred on October 25, 2006. The person named on the receipt, however, was Guadalupe Guzman, a defendant charged with possession of a weapon and driving on a suspended license. The trial court reinstated Ramos’ privilege to practice law in the district by order on February 9, 2007.

On April 19, 2007, the trial court served notice to Ramos that he was being charged with criminal contempt. In addition, the trial court ordered Ramos to appear before the court on May 25, 2007, and show cause why he should not be held in willful criminal contempt of court for misrepresenting that he had reimbursed the AOC for the interpreter fees and for attempting to practice in the 21st Judicial District while on suspension.

As previously discussed, there was no transcript of the May 25, 2007 show cause hearing. The trial court held Ramos in contempt of court by written order on June 25, 2007. Ramos was sentenced to ten days in jail, ordered to pay a fifty dollar fine, and suspended from the practice of law in the 21st Judicial District of Tennessee for two years.

On June 25, 2007, Ramos filed a motion for new trial asserting that the contempt hearing was held without a jury, that the verdict was contrary to the weight of the evidence, and, in the alternative, the sentence imposed should be modified. On June 27, 2007, Ramos filed a second motion for new trial asserting that he was not required to comply with the trial court’s order because it was not a final order, but an interim order. The trial court denied both motions, and Ramos filed this appeal.

## **ANALYSIS**

**I. Finality of August 28 and September 5, 2006 Orders for Counsel to Act as Surety for his Client.** Ramos argues on appeal that the trial court erred when on August 28, 2006, it originally ordered him to “act as surety for costs for his client in a criminal case.” Ramos contends this “requirement was not a lawful command of the Court.”

We hold that this issue is not justiciable in this appeal of Ramos' conviction of criminal contempt.

First, we note that, viewing the August 28, 2006 ordering of Ramos' liability for interpreter costs as an adjunct of the criminal proceeding against Mr. Hernandez, we cannot adjudicate the appeal because the record does not reflect that Mr. Hernandez' theft case has proceeded to final judgment. As such, this court has no jurisdiction in the case pursuant to Tennessee Rule of Appellate Procedure 3. See State v. Joseph Benjamin Comer, No. E2007-00544-CCA-R3-CD, 2008 WL 1788059, at \*2 (Tenn. Crim. App., at Jackson, June 13, 2007) ("The convicted defendant in a criminal case has a right to appeal when the trial court has entered a "final judgment of conviction."). Additionally, within the context of State v. Armando Hernandez, Ramos has no claim to have his appeal treated as an interlocutory appeal because no application for interlocutory appeal has been filed. See Tenn. R. App. P. 9, 10. Accordingly, we conclude that the present appeal is not an appeal in State v. Armando Hernandez.

Second, viewing therefore the appeal as a Rule 3 appeal in State v. Fred Ramos, we discern that the order for Ramos' civil liability for interpreter costs was not a result of the contempt filing now under review; rather, it was ordered prior to Ramos' actions that then prompted the contempt proceeding.

In that vein, we note that "an attorney does not have the right to disobey the lawful order of a trial court without seeking the appropriate judicial remedy, even though the attorney feels the trial judge is wrong." See e.g. State v. Jesse Jones, 1985 WL 4229 \*7- 8 (Tenn. Crim. App., at Jackson, Nov. 27, 1985) (Riley, Sp. J., concurring), aff'd by State v. Jones, 726 S.W.2d 515, (Tenn. 1987). "The attorney should seek the appropriate judicial remedy rather than deliberately disobeying the order of the trial court." Id. In Jones, Judge Riley concurred and stated:

The disobedience of a valid, though erroneous and reversible, order is a contempt of court. As long as the court has jurisdiction of the person and subject matter, its order is valid, though it be erroneous, and disobedience of the order is a contempt of court. A court's order can be disregarded only when the court goes so clearly and so far outside its jurisdiction as to act, not as a court, but as a usurper, so as to render its order void. The principle underlying the court's contempt powers, i.e. the court must be able to maintain the integrity of its orders, is so strong that even erroneous orders must be obeyed at the risk of a contempt citation. Specifically, an attorney cannot defend himself against a charge of contempt on the ground that the judge made erroneous, improper, or provoking rulings, orders or remarks.

Id. at 8 (internal citations omitted).

In short, a court order, even if erroneous or subject to reversal on appeal, must be followed until it is reversed. See Konvalinka v. Chattanooga-Hamilton County Hosp. Authority, 249 S.W.3d 346, 357 (Tenn. 2008). We therefore conclude that the August 28 and September 5, 2006 orders are not before this court on Ramos' appeal from the June 25, 2007 order of contempt. In his brief, Ramos acknowledges that he had the option of an interlocutory appeal from the August 28 and September

5, 2006 orders. See Tenn. R. App. P. 9. Instead, Ramos violated the court's order by refusing to comply and only appealed after he was held in contempt of court. Accordingly, he is not entitled to relief.

**II. Sufficiency of the Evidence.** Ramos argues that the contempt verdict was "contrary to the weight of the evidence." Specifically, Ramos contends that the trial court was erroneous in finding that he had the intent to deceive the trial court by submitting the Guzman bill to the court. The State contends that the court's ruling is presumed correct because there is no transcript of the contempt hearing on appeal.

When the defendant challenges the sufficiency of the convicting evidence, we must consider "whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt." Jackson v. Virginia, 443 U.S. 307, 319, 99 S. Ct. 2781, 2789 (1979); see also Tenn. R. App. P. 13(e) (2006) ("Findings of guilt in criminal actions whether by the trial court or jury shall be set aside if the evidence is insufficient to support the finding by the trier of fact of guilt beyond a reasonable doubt."). This standard applies to convictions based upon direct, circumstantial, or a combination of both direct and circumstantial evidence. State v. Pendergrass, 13 S.W.3d 389, 392-93 (Tenn. Crim. App. 1999) (citation omitted).

The State, on appeal, is entitled to the strongest legitimate view of the evidence and all legitimate or reasonable inferences which may be drawn from that evidence. State v. Bland, 958 S.W.2d 651, 659 (Tenn. 1997). All questions involving the credibility of witnesses, the weight and value to be given the evidence, and all factual issues are resolved by the trier of fact, and this court will not reweigh or reevaluate the evidence. State v. Sutton, 166 S.W.3d 686, 689-90 (Tenn. 2005). This court has often stated that "[a] guilty verdict by the jury, approved by the trial judge, accredits the testimony of the witnesses for the State and resolves all conflicts in favor of the theory of the prosecution's theory." Bland, 958 S.W.2d at 659 (citation omitted). A guilty verdict also "removes the presumption of innocence and replaces it with a presumption of guilt, and the defendant has the burden of illustrating why the evidence is insufficient to support the jury's verdict." Id. (citation omitted).

As is pertinent to the present case, Tennessee courts are empowered "to issue attachments, and inflict punishments for contempts of court" based upon "[t]he willful misbehavior of any of the officers of such courts, in their official transactions" or "[t]he willful disobedience or resistance of any officer of the such courts, party, juror, witness, or any other person, to any lawful writ, process, order, rule, decree, or command of such courts." T.C.A. § 29-9-102. Criminal contempt is a misdemeanor, and as such is punishable by "fine or imprisonment, or both." T.C.A. § 29-9-103(a); see also id. § 39-11-110 ("[A]ll violations of law punishable by fine or confinement for less than one (1) year, or both, are denominated misdemeanors.").

A criminal contempt is indirect when the "criminal conduct" was not committed in the judge's presence. See Tenn. R. Crim. P. 42(a). The accused in an indirect criminal contempt proceeding must be afforded notice of the charge and a hearing. Tenn. R. Crim. P. 42(b). Criminal contempt does not "require initiation by an indictment or presentment, and there is no right to a trial by jury."

Moody v. Hutchison, 159 S.W.3d 15, 27 (Tenn. Ct. App. 2004).

“In a criminal contempt case, the guilt of the accused must be established beyond a reasonable doubt.” Barber v. Chapman, No. M2003-00378-COA-R3-CV, 2004 WL 343799 at \* 2 (Tenn. Ct. App., at Nashville, Feb. 23, 2004). To find an accused guilty of criminal contempt, a court must find the “misbehavior, disobedience, resistance, or interference to be wilful.” Ahern v. Ahern, 15 S.W.3d 73, 79 (Tenn. 2000). The proof must show that the accused “acted with knowledge that his conduct was unlawful.” Bryan v. United States, 524 U.S. 184, 191-92, 118 S. Ct. 1939, (1998). When the behavior that is subjected to sanction via a criminal contempt conviction is the accused’s failure to pay money as previously ordered by the court, the court hearing the contempt must “make a determination about whether [accused’s] failure to pay was wilful”, and to do so, it must determine whether the accused “had the ability to pay when the payments were due.” Id.

“The person charged with criminal contempt does not have the burden of proving his/her innocence.” Baxter Neal Helson v. Leticia Finley Cyrus, No. 01-A-01-9809-CH-0050, 1999 WL16414 at \*1 (Tenn. Ct. App., at Nashville, Mar. 29, 1999). Tennessee Rule of Criminal Procedure 42(b), however, allows “the requisite notice of an indirect criminal contempt to be given ‘by an order to show cause.’” Id.; see Tenn. R. Crim. App. 42(b). The use of the show cause order to initiate a criminal contempt proceeding may not result in placing the burden of proof upon the accused. Baxter Neal Helson v. Leticia Finley Cyrus, No. 01-A-01-9809-CH-0050, 1999 WL 16414 at \*1 (Tenn. Ct. App., at Nashville, Mar. 29, 1999). On appeal from a criminal contempt conviction, the appellate court should view the proceeding below “as a whole” to determine whether “the trial judge properly applied the burden of proof.” Dawn Perkerson v. Michael Frederick Perkerson, No. 01A-01-9602-CV-00059, 1996 WL 426807 at \*3 (Tenn. Ct. App., at Nashville, July 31, 1996).

“Appellate courts do not review the evidence in a light favorable to the accused and will reverse criminal contempt convictions only when the evidence is insufficient to support the trier-of-fact’s finding of contempt beyond a reasonable doubt.” Thigpen v. Thigpen, 874 S.W.2d 51, 53 (Tenn. Ct. App. 1993) (citing Tenn. R. App. P. 13(e)). Appellate courts review a trial court’s decision of whether to impose contempt sanctions using the more relaxed abuse of discretion standard of review. Hawk v. Hawk, 855 S.W.2d 573, 583 (Tenn. 1993).

After receiving notice from the AOC that the interpreter’s fees had not been paid, the trial court ordered Ramos to appear and show cause “why he should not be held in willful criminal contempt of court for his misrepresentation that this fee had, in fact, been paid, and for attempting to practice in the 21st District in violation of the Court’s Order of January 3, 2007.” At the hearing, the trial court heard testimony presented in open court, considered the record, and issued the following order holding Ramos in contempt:

1. That Fred Ramos was not telling the truth when he said that he mistakenly filed a paid bill from the Tennessee Foreign Language Institute reference: Guzman, rather than a bill from the Administrative Office of the Court relative to the above cause. The Court finds that he filed the Guzman bill with the intent to deceive the Court.
2. That Fred Ramos had deliberately and willfully filed in the clerk’s office a

false document (the Guzman bill) with intent to affect the outcome of the Court's suspension of his right to practice in this circuit.

3. That Fred Ramos was in deliberate and willful contempt of court notwithstanding his payment of the Hernandez interpreter's bill on the morning of the hearing. He testified that he was at all times able to pay this bill. Moreover, he admitted he had practiced in the courts of this circuit, to wit: February 20, 200[7] because he had not paid the bill in violation of the court's order of January 3, 2007.
4. Fred Ramos' position that he should not pay the bill is unsustainable because he never asked that his client be held indigent, nor did he appeal . . . either of the orders of August 28, 2006 or September 5, 2006.

Based upon these findings, the trial court ordered (1) that Ramos be suspended from any practice of law in the courts of the 21st Judicial District for two years, and (2) that he is "guilty of criminal contempt and sentence to a period of ten (10) days in the Williamson County Jail and shall pay a fine of [\$50.00], plus the court costs."

We emphasize that the factual findings upon which the conviction of contempt rest are that Ramos (1) misrepresented to the trial court that he had paid the interpreter's bill in Mr. Hernandez' case, intending to deceive the court in that regard and having "deliberately and willfully filed in the clerk's office a false document," (2) deliberately and willfully failed to pay the Hernandez interpreter's bill prior to the morning of the contempt hearing when he was "at all times able to pay this bill," and (3) practiced law in the courts of the 21st Judicial District on February 20, 2007, in defiance of the trial court's order.

We conclude that we need ply no further if we discern that even one finding supports the contempt conviction. We hold that the finding of misrepresentation or deceit practiced upon the court is supported in the record before us, and as to such finding, the only record is the trial court's written findings of facts. In those findings, the court states that Ramos deliberately and wilfully filed a false document to deceive the court into believing that he had paid the Hernandez interpreter costs. We point out that the trial court's contempt order recites that the court heard "testimony" on May 25, 2007, but nevertheless, Ramos has elected to present this court with neither a verbatim transcript of the May 25 hearing pursuant to Tennessee Rule of Appellate Procedure 24(b) nor a statement of evidence in lieu of a verbatim transcript pursuant to Rule 24(c), except that he relies upon the trial court's findings of fact as a record of the evidentiary hearing. In this situation, we cannot go behind the trial court's findings on the deceit issue, including the findings that Ramos acted wilfully in filing a false document. We must presume that the evidence supported the court's findings. See State v. Ivy, 868 S.W.2d 724, 728 (Tenn. Crim. App. 1993); State v. Oody, 823 S.W.2d 554, 559 (Tenn. Crim. App. 1991).

Moreover, these findings establish that Ramos was an officer of the court and that he wilfully misbehaved in his "official transactions" with the court. See T.C.A. § 29-2-102(2). Accordingly, we hold that the record as presented on appeal supports a finding of the elements of criminal contempt beyond a reasonable doubt. We need not address the second and third bases for the contempt finding.

**III. Sentence Imposed.** Ramos argues that the sentence imposed was inconsistent with the principles of the Sentencing Act. Specifically, Ramos asserts that the trial court erred by not sentencing him to a presumptive probation sentence. The State repeats its argument that this court must presume that the trial court's ruling was correct and not consider the issue.

In misdemeanor sentencing, the sentencing court is afforded considerable latitude. See, e.g., State v. Johnson, 15 S.W.3d 515, 518 (Tenn. Crim. App. 1999). As we have noted above, this is especially true in the review of sentencing for a criminal contempt conviction. In such a review, the appellate court utilizes an abuse-of-discretion standard of review. Hawk, 855 S.W.2d at 583.

A separate sentencing hearing is not mandatory in misdemeanor cases, but the court is required to provide the defendant with a reasonable opportunity to be heard as to the length and manner of the sentence. See T.C.A. § 40-35-302(a) (2006). Misdemeanor sentences must be specific and in accordance with the principles, purpose, and goals of the Criminal Sentencing Reform Act of 1989. Id. §§ 40-35-104, -302 (2006); State v. Palmer, 902 S.W.2d 391, 393 (Tenn.1995). The misdemeanor offender must be sentenced to an authorized determinant sentence with a percentage of that sentence designated for eligibility for rehabilitative programs. Generally, a percentage of not greater than 75 percent of the sentence should be fixed for a misdemeanor offender. Palmer, 902 S.W.2d at 393-94. A convicted misdemeanant has no presumption of entitlement to a minimum sentence; the misdemeanant enjoyed no such presumption even before 2005, such a presumption was available to a felon. See State v. Baker, 966 S.W.2d 429, 434 (Tenn. Crim. App. 1997); State v. Creasy, 885 S.W.2d 829, 832 (Tenn. Crim. App.1994). The misdemeanor sentencing statute requires that the trial court consider the enhancement and mitigating factors when calculating the percentage of the sentence to be served “in actual confinement” prior to “consideration for work release, furlough, trusty status and related rehabilitative programs.” T.C.A. § 40-35-302(d) (2006); State v. Troutman, 979 S.W.2d 271, 274 (Tenn. 1998).

In the present case, the court sentenced Ramos to confinement for the maximum available term of ten days and ordered the payment of the maximum fine of \$50.00. We see no basis for differing with the court's sentence. Accordingly, we affirm the incarceration and fine elements of the sentence.

We must now address the trial court's order suspending Ramos from practicing law in any court in the 21st Judicial District for a period of two years, after which Ramos would be free to apply for re-admission before any circuit judge in that district.

As we noted above, sanctions for a misdemeanor are limited to “fine or imprisonment, or both.” T.C.A. § 29-9-103(a); see also id. § 39-11-110. Consequently, the provision in the trial court's order for Ramos' suspension from practicing law is not a proper sanction for the misdemeanor of criminal contempt. That conclusion does not, however, equate to a finding that the option of suspension was not available to the trial court.

Tennessee Supreme Court Rule 9 addresses disciplinary procedures for attorneys and empowers the supreme court to suspend or disbar an attorney from the practice of law in Tennessee. See Tenn. R. Sup. Ct. 9 § 8.4. Rule 9, however, expressly does not deprive “any court [of] such powers as are necessary for that court to maintain control over proceedings conducted before it.” Id. § 1.2. In a 2003 opinion, the Attorney General of Tennessee stated:



A judge has the inherent authority to suspend or disbar an attorney from his courtroom for misconduct directly affecting the proceedings of the court. Suspension or disbarment, however, cannot be ordered as a punishment for contempt, and should be used only with moderation and caution after clear misconduct. In criminal matters, after the commencement of adversarial proceedings, the right to counsel must also be considered before removal of an attorney.

Op. Atty. Gen. 03-053 (Apr. 30, 2003). It is important to note, however, that a court's inherent power to suspend an attorney is limited to that attorney's practice in that particular court. Ex Parte Chattanooga Bar Ass'n, 566 S.W.2d 880, 884 (Tenn. 1978) (stating that a court has "the power to discipline any lawyer by suspension, or disbarment from practice in that particular court, for misconduct directly affecting the processes and proceedings of that court").

Based upon these authorities, the trial court in the present case was justified in suspending Ramos from practicing in the Circuit Court of Williamson County for a reasonable time – one that reflects moderation and caution. We conclude that a term of one year would be adequate. Ramos' suspension from practicing in all of the 21st Judicial District's courts was unauthorized, and we believe that the term of two years is lengthier than necessary.

**IV. Request for a Jury Trial.** Ramos concedes that criminal contempt proceedings are not required to be held before a jury in Tennessee. See Ahern, 15 S.W.3d at 82. However, in his brief he "respectfully disagrees with this line of decisions" but has provided no argument or authority in support of his position. Rule 10(b) of the Tennessee Rules of Criminal Appeals states that "[i]ssues which are not supported by argument, citation to authorities, or appropriate reference to the record, will be treated as waived in this court. Accordingly, we will not consider this issue on appeal.

### **CONCLUSION**

\_\_\_\_Based on the foregoing authority and analysis, the conviction of criminal contempt is affirmed; however, the sentence is modified to limit the suspension of Ramos from the practice of law to the Circuit Court for Williamson County for a period of one year.

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CAMILLE R. McMULLEN, JUDGE